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REDACTED FOR PUBLIC INSPECTION

February 2, 2012

Ex Parte via FedEx and Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Basic Service Tier Encryption; Compatibility Between Cable
Systems and Consumer Electronics Equipment,
MB Dkt. No. 11-169, PP Dkt. No. 00-67*

Dear Ms. Dortch:

On February 1, 2012, representatives of Boxee, Inc. ("Boxee") met with Chairman Genachowski and members of the Commission staff at the Commission's office in Washington, D.C. In attendance were: Avner Ronen, Melissa Marks and Nicholas Miller of Boxee, Julius Genachowski, Chairman; Sherrese Smith, Josh Gottheimer, Zachary Katz, Jordan Usdan, Michael Steffen, Jessica Almond and Michael Vasquez, of the Chairman's Office; Bill Lake, Chief of the Media Bureau; and Henning Schulzrinne, Chief Technology Officer. At the meeting, Boxee made the attached presentation to the Commission regarding the above-referenced rulemaking.

Additionally, Boxee demonstrated to the Commission certain of its products that use Clear QAM to provide consumers with innovative alternatives to traditional pay TV and MVPD devices. Boxee showed the Commission how the Boxee Box by D-Link with Boxee Live TV combines broadcast channel programming, over-the-top (OTT) content, and social features within a seamless user interface. The Boxee Box with Live TV enables a user to go from watching a live program, such as local news, to watching OTT content, such as a Youtube video shared by a friend or a movie on Vudu, without changing inputs on his or her television to move from a cable set top box to a streaming device.



[REDACTED]

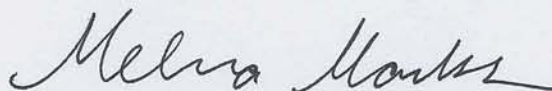
Boxee explained that both the Boxee Box with Live TV and the products under development provide consumers with competitive alternatives to traditional pay cable delivered via rented set top boxes. If Clear QAM is eliminated, consumers who have little or no OTA antenna reception¹ will not only be denied the choice of "shaving the cord"² with a product such as Boxee, but will also be forced to rent additional set top boxes for any TVs in their home that were previously receiving only the basic tier via Clear QAM.

[REDACTED]

For these reasons eliminating Clear QAM will limit competition and hurt consumers in ways not considered in the NPRM,³ and the Commission should not permit encryption of basic tier cable without taking concurrent action to ensure alternative means of compatibility of non-MVPD consumer devices with MVPD programming, in a way that does not require additional hardware, fees beyond the cost of a basic tier subscription, or the certification or explicit consent of MPVDs to obtain access to the basic tier.

Pursuant to the Commission's rules, this notice is being filed in the above-referenced dockets for inclusion in the public record.

Respectfully Submitted,



Melissa Marks
General Counsel

¹ This may be as many as 40% of consumers, based on the current number of Boxee LiveTV users who have connected via QAM, rather than antenna.

² "Shaving the cord" refers to reducing one's cable bill by moving from higher tier cable packages that cost more and require rental of set top boxes, to the lowest tier package, which only costs about \$5-20 per month and does not require any set top box rental.

³ Boxee's thoughts on the issues on which the NPRM sought comments are included in the attached presentation and in our prior ex parte, filed on December 21, 2011 in the above-referenced proceeding.

Attachment

cc: Julius Genachowski
Sherrese Smith
Josh Gottheimer
Zachary Katz
Jordan Usdan
Michael Steffen
Jessica Almond
Michael Vasquez
Bill Lake
Henning Schulzrinne